

AO 91 (Rev 8/01) Criminal Complaint

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA
V.

Gustavo Martinez-San Martin

United States Courts
Southern District of Texas
FILED

February 17, 2022

CRIMINAL COMPLAINT

Case Number: M-22-0340-M

Nathan Ochsner, Clerk of Court

IAE
Mexico
(Name and Address of Defendant)

YOB: 1991

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

On or about February 16, 2022 in Hidalgo County, inthe Southern District of Texas

(Track Statutory Language of Offense)

the defendant being then and there an alien who had previously been deported from the United States to Mexico in pursuance of law, and thereafter was found near Sullivan City, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony)I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

Gustavo Martinez-San Martin was encountered by Border Patrol Agents near Sullivan City, Texas on February 16, 2022. The investigating agent established that the defendant was an undocumented alien and requested record checks. The defendant claims to have illegally entered the United States on February 16, 2022, near Hidalgo, Texas. Record checks revealed the defendant was formally Deported/Excluded from the United States on November 14, 2021, through Hidalgo, Texas. Prior to Deportation/Exclusion, the defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

Complaint authorized by AUSA Colton Turner

Submitted by reliable electronic means, sworn to and attested
telephonically per Fed. R. Cr.P.4.1, and probable cause found on:^{17 (CS)}
February 18, 2022 7:11 AMNadia S. Medrano, U.S. Magistrate Judge
Name and Title of Judicial Officer/s/ Raylin Schannette
Signature of Complainant

Raylin Schannette Border Patrol Agent

Signature of Judicial Officer